

**Federal Defenders
OF NEW YORK, INC.**

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DOCUMENT
ELECTRONICALLY FILED
DOC #: _____ November 4, 2021
DATE FILED: 11/4/21

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

BY ECF

The Honorable Kimba M. Wood
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

**Re: United States v. Jonas Brito
20 Cr. 200 (KMW)**

Dear Judge Wood:

I write to request a temporary bail modification for Jonas Brito in the above-captioned case to allow Mr. Brito to travel to the Southern District of New York on Thursday, November 11, returning home to Pennsylvania on Friday, November 12 in order to attend his plea hearing scheduled for 11:00 am on Friday, November 12 in front of Magistrate Judge Fox. The Government consents to this request.

On February 27, 2020, Mr. Brito was presented in Magistrate Court and the defense reserved its bail argument; Mr. Brito was detained. On March 16, 2020, at the defense's request, Magistrate Court held a contested bail hearing for Mr. Brito. Magistrate Judge Stewart D. Aaron denied bail; Mr. Brito remained incarcerated at the Metropolitan Correctional Center.

On April 3, 2020, with the consent of the Government, the Court granted Mr. Brito bail. Doc. 12. The following bail conditions were set and subsequently met:

\$25,000 personal recognizance bond to be co-signed by two financially responsible persons; compliance with pretrial supervision as directed, with monitoring for the first 14 days of release by voice verification over a land line, a third party custodian, daily FaceTime check-in; return to the Pretrial Services Office for the installation of electronic monitoring equipment; surrender of travel documents with no new applications and travel restricted to the Southern District of New York and the Eastern District of New York.

*granted.
J. New*

On April 8, 2020, Mr. Brito reported to the Pretrial Services Office and was enrolled in location monitoring. On May 11, 2020, the Court granted the parties' joint request for removal of GPS location monitoring as a condition of Mr. Brito's release. Doc. 16.

On February 10, 2021, with consent of the defense and the Government, the Court granted Pretrial's request to modify the conditions of Mr. Brito's release to include substance abuse testing/treatment and mental health treatment as directed by Pretrial Services and an expansion of travel restrictions to include Pennsylvania for treatment-related purposes only. Doc. 31.

On March 23, 2021, following Mr. Brito's successful completion of residential treatment in Pennsylvania, the Court granted Mr. Brito's request to remain in Pennsylvania with his significant other while he receives outpatient treatment and be supervised by the Middle District of Pennsylvania. Doc. 38.

On October 29, 2021, Mr. Brito attempted to plead guilty to the offense charged during a telephonic plea hearing conducted by Magistrate Judge Moses. Judge Moses did not accept the guilty plea. Doc. 55. Accordingly, the parties have conferred and set a date for an in-person plea hearing on Friday, November 12 at 11:00 am before Magistrate Judge Fox.

Because Mr. Brito must travel from Pennsylvania to the Southern District of New York in order to take his plea, and due to the distance between his home and the courthouse, Mr. Brito respectfully requests a temporary bail modification to allow him to travel to the Southern District of New York on Thursday, November 11 and return to Pennsylvania after his plea hearing on Friday, November 12. The Government consents to this request.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/

Marne Lenox
Assistant Federal Defender
(212) 417-8721

Cc: AUSA Peter Davis (via email)

11-4-21
SO ORDERED: N.Y., N.Y.

Kimba M. Wood
KIMBA M. WOOD
U.S.D.J.